

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (LODGING) NO.2694 OF 2005

Suresh M. Jain

... Petitioner

Vs.

Union of India & Ors.

... Respondents

Mr. R.D. Soni i/b M/s. Dharam & Co. for the petitioner.

Mr. S.G. Page with Mr. S.R. Page for respondents 2 and 3.

Mr. Anil Singh with Mr. D.A. Dube for respondent 7.

**CORAM: SMT. RANJANA DESAI &
ABHAY S. OKA, JJ.**

DATED: 22ND NOVEMBER 2005.

P.C.:-

1. The petitioner has prayed for quashing the Online Auction Sale of scrap items of respondent 2. We are informed that the auction is scheduled to be held today. Admittedly, the petitioner has not participated in the auction. We notice that Writ Petition No.1990 of 2004 was filed by the petitioner in this court and on 24/10/2004 the petitioner's counsel sought liberty to withdraw the said petition and the petition was dismissed as withdrawn. The learned counsel for the petitioner states that the said petition was withdrawn because a statement was made at that time that respondent 2 does not want to sell the scrap and they want to use the scrap items after re-processing the same.

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2. We do not see any such statement in the said order dated 24/10/2004. Mr. Page, the learned counsel for respondent 2 states that no such statement was made. We do not want to go into that aspect of the matter. We do not see any merit in the petition. The petition is dismissed.

(SMT. RANJANA DESAI, J.)

(ABHAY S. OKA, J.)